

Third District Court of Appeal

State of Florida, July Term, A.D. 2009

Opinion filed October 14, 2009.

No. 3D09-474
Lower Tribunal No. 08-54371

Citizens Property Insurance Corporation,
Appellant,

vs.

Jarrette Bay Investments Corporation,
Appellee.

An Appeal from a non-final order from the Circuit Court for Miami-Dade County, Ronald M. Friedman, Judge.

Hinshaw & Culbertson, LLP and Maureen G. Percy and Paul R. Wallace, for appellant.

Ginsberg & Schwartz and Arnold R. Ginsberg; Mintz Truppman and Mark J. Mintz, for appellee.

Before SHEPHERD, CORTIÑAS, and ROTHENBERG, JJ.

ON CONFESSION OF ERROR

PER CURIAM.

Based on the appellee's proper confession of error, and our own independent review of the record, we reverse the order appealed with directions to the trial court to allow an evidentiary hearing pursuant to, and consistent with, Johnson v. Nationwide Mutual Insurance Co., 828 So. 2d 1021 (Fla. 2002).

Reversed and remanded with instructions.